



**AGENDA OF THE REGULAR SESSION
CITY OF AUBURN PLANNING COMMISSION
1225 LINCOLN WAY, AUBURN, CA 95603**

**June 3, 2014
6:00 PM**

Planning Commissioners

Lisa Worthington, Chair
Roger Luebke
Matt Spokely
Fred Vitas
Nick Willick

City Staff

Will Wong, Community Development Director
Lance E. Lowe, AICP, Associate Planner

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

None

IV. PUBLIC COMMENT

This is the time provided so that persons may speak to the Commission on any item not on this agenda. Please make your comments as brief as possible. The Commission cannot act on items not included on this agenda; however, the items will be automatically referred to City staff.

V. PUBLIC HEARING

A. ORDINANCE AMENDMENT OF THE CITY'S SIGN ORDINANCE – ADMIN. FILE 301.3(x. i). Planning Commission recommendation to the Auburn City Council on an ordinance amending the City's Sign Ordinance (*Auburn Municipal Code Section 159.195 et. seq.*).

VI. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

- A.** City Council Meetings
- B.** Future Planning Commission Meetings
- C.** Reports

VII. PLANNING COMMISSION REPORTS

The purpose of these reports is to provide a forum for Planning Commissioners to bring forth their own ideas to the Commission. No decisions are to be made on these issues. If a Commissioner would like formal action on any of these discussed items, it will be placed on a future Commission agenda.

VIII. FUTURE PLANNING COMMISSION AGENDA ITEMS

Planning Commissioners will discuss and agree on items and/or projects to be placed on future Commission agendas for the purpose of updating the Commission on the progress of items and/or projects.

IX. ADJOURNMENT

Thank you for attending the meeting. The Planning Commission welcomes your interest and participation. If you want to speak on any item on the agenda, as directed by the Chairman, simply go to the lectern, give your name, address, sign in and speak on the subject. Please try to keep your remarks to a maximum of five minutes, focus on the issues before the Planning Commission and try not to repeat information already given to the Commission by a prior speaker. Always speak into the microphone, as the meeting is recorded on tape. It is the policy of the Commission not to begin consideration of a project after 10:00 PM. Such projects will be continued to the next meeting.

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department during normal business hours.



CITY OF AUBURN

Planning Commission – Staff Report

Meeting Date: June 3, 2014

Prepared by: Lance E. Lowe, AICP, Associate Planner

ITEM NO.
V-A

ITEM V-A: ORDINANCE AMENDMENT OF THE CITY'S SIGN ORDINANCE – ADMIN. FILE 301.3(x. i).

REQUEST: Planning Commission recommendation to the Auburn City Council on an ordinance amending the City's Sign Ordinance (*Auburn Municipal Code Section 159.195 et. seq.*).

RECOMMENDED MOTION (APPROVAL):

That the Planning Commission recommend that the City Council take the following action:

- A. Adopt Resolution 14-04 (**Exhibit A**) recommending that the Auburn City Council amend the sign ordinance as presented, or as amended by the Planning Commission, which includes the following actions:
1. Adoption of a Statutory Exemption prepared for the sign ordinance amendment as the appropriate level of environmental review, in accordance with Section 15061 (b)(3) of the California Environmental Quality Act (CEQA) and Guidelines;
 2. Adoption of Findings of Fact for approval of the sign ordinance amendment, as presented in the staff report; and,
 3. Approval of the sign ordinance amendment as presented in this staff report.

BACKGROUND:

At the direction of the City Council, the Community Development Department prepared a comprehensive Sign Ordinance update in 2012 (*Chapter 159.185 et. seq.*). After several meetings with the local business organizations, Planning Commission and City Council, in consultation with the City Attorney, the Sign Ordinance update was adopted by the City Council on November 19, 2012.

Since its adoption, the sign ordinances' implementation by the Community Development Department has been well received by the business and development communities. Staff has recently however, noted two aspects of the Sign Ordinance that should be amended, for clarity and consistency, as further described below.

PROJECT DESCRIPTION/ANALYSIS:

The Community Development Department is requesting that the Planning Commission recommend that the City Council adopt the following amendments to the Sign Ordinance as

enumerated below. Staff has included a brief analysis, following the proposed change, of each amendment for Planning Commission review and consideration:

1. Freestanding Signs in the Airport Industrial Design Control (AI-DC) District.

As an industrial park, the AI-DC zone (**Attachment 1 – AI-DC Zone Map**) has its own specific freestanding sign regulations that were adopted initially in 1973 and subsequently updated in 1993 (**Attachment 2**). Within the AI-DC Zone, the sign regulations permit freestanding signs as follows:

“A single identification sign, as part of the building or freestanding, shall be permitted up to a gross area of sixty (60) square feet (each side if double faced). Maximum height allowable shall be ten (10) feet. A freestanding sign may have a zero (0) foot setback from all property lines.”

With respect to freestanding signage, the recently adopted Sign Ordinance does not specifically incorporate the above sign requirements for the AI-DC Zone. Unless explicitly included, the recently adopted Sign Ordinance’s (*Chapter 159.185 et. seq.*) would apply throughout the City, including the AI-DC (AI-DC) Zone.

Accordingly, staff is recommending that the freestanding sign standards for the AI-DC Zone noted above be inserted into Section 159.195 (G) thereby codifying the standards for freestanding signs in the AI-DC Zone.

Specifically, proposed added text to Section 159.195 (G)(3)(d) and 159.195 (G)(4)(b) are shown in *bold/italic* text.

§159.195 (G) FREESTANDING SIGNS FOR INDIVIDUAL USES.

- (1) *Number*. Each individual use may erect and maintain one freestanding sign, regardless of whether a use is conducted on more than one contiguous parcel. Additional freestanding signs may be permitted upon approval of a Use Permit by the Planning Commission if the use has more than one street frontage and/or has an individual street frontage that is greater than 300’ long with more than one project entrance.
- (2) *Location*. No more than one sign shall be placed on each street, unless additional signs are approved pursuant to subsection (1) above. All signs are subject to the requirements of the clear vision triangle.
- (3) *Height*.
 - a) *Citywide*. The maximum height shall be 15 feet, except as otherwise provide by this Chapter.
 - b) *Oldtown and Downtown Historic Design Review Districts*. The maximum height shall be 10 feet.
 - c) *Highway 49/Elm Commercial Area*. The maximum height shall be 25 feet for properties located within the areas delineated on a map maintained by the Community

Development Department. The map may be amended by resolution of the City Council.

d) Airport Industrial Design Control (AI-DC) Zone. The maximum height shall be 10 feet.

(4) *Area.*

a) The maximum allowable sign area shall be 40 square feet. The maximum sign area may be increased to 60 square feet for a lot with a street frontage of at least 200 feet. The maximum sign area may be increased to 80 square feet for a lot with a street frontage of at least 300 feet. The area of the sign is determined based on the length of the frontage on which the sign is placed.

b) *Airport Industrial Design Control (AI-DC) Zone. A maximum of 60 square feet (each side if double sided) shall be permitted.*

(5) *Landscaping.* Landscaping with automatic irrigation shall be provided at the base of the supporting structure equal to twice the area of one face of the monument sign. The review authority may waive or modify this requirement on a case-by-case basis for small monument signs or where existing site conditions preclude this requirement.

2. Signs on Automobiles.

Recently, staff had an inquiry regarding whether or not non-commercial signs on automobiles were prohibited as specified in *Section 159.195(O)(1)* of the Auburn Sign Ordinance. As the non-commercial sign examples illustrates below, the purpose of Section 159.195 (O) is to limit the proliferation of non-commercial signage in the City, but not to preclude non-commercial signage or other types of signage otherwise permitted by law. In consultation with the City Attorney, staff recommends that ambiguous language be stricken in §159.195 (O)(1) regarding vehicle signs (i.e. pizza delivery, business identification, political signs, etc. on licensed vehicles) as follows. Stricken text in Section 159.195 (O) is shown as ~~strikeout~~ text:

159.195 (O) TEMPORARY NON-COMMERCIAL SIGNS.

Temporary signs and banners are permitted in all zones subject to the following regulations.

(1) *Location.* Signs shall not be posted on trees, fence posts, public utility poles, on any roof ~~or vehicle top~~, or located within any public right-of-way or on any publicly owned property. No sign shall be located within the clear vision triangle. Off-site signs shall only be allowed on private property with the owner's permission.

The Vehicle Code Section 21100(m) allows the City to regulate Mobile Billboard Advertising Displays (i.e. billboards in back of trucks), and sub-section (p) of Section 21100 allows the City to regulate advertising signs on motor vehicles parked or left standing upon a public street (i.e. automobiles parked in the public right-of-way for advertising purposes). The City cannot however, regulate advertising signs that are permanently affixed (painted, decal, or permanent sign holder) to the body of a motor vehicle for permanent decoration,

identification, or display that does not extend beyond the overall length, width, or height of the vehicle (§21100 exception (A)).

Based upon the aforementioned and City Attorney's advice, staff recommends that text be stricken, as noted above, in Section 159.195 (O)(1) limiting the prohibition of signs on licensed vehicles.

ENVIRONMENTAL DETERMINATION:

The Auburn Community Development Department reviewed this project for compliance with the California Environmental Quality Act (CEQA) and found it to be Statutorily Exempt from the provisions of CEQA per Section 15061 (b)(3).

15061 (b) A project is exempt from CEQA if:

(3) The activity is covered by a general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is not possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

ATTACHEMNTS:

1. Airport Industrial – Design Control (AI-DC) Zone District Map
2. Excerpt Standards and Regulations in Auburn Airport Industrial Park

EXHIBIT:

- A. Resolution 14-04 with Findings of Fact and Amended Sign Ordinance Code Sections attached as **Attachment 1**.



ATTACHMENTS

AI-DC Zone



ATTACHMENT 1

ATTACHMENT 2

The maximum height of all buildings and structures, excluding communications antenna, shall be twenty-five (25) feet.

Signs

A single identification sign, as a part of the building or freestanding, shall be permitted up to a gross area of sixty (60) square feet (each side if double faced). Maximum height allowable shall be ten (10) feet. A freestanding sign may have a zero (0) foot setback from all property lines.

Landscaping

Landscaping plans must be submitted and approved prior to the issuance of a Building Permit. Landscaping will be placed according to the following guidelines:

Recommend

- Trees over shrubs;
- Ground cover over turf;
- Native plants over exotics;
- Minimal maintenance material;
- Use of contouring and mounding;
- Use of natural and imported rock;
- Permanent automatic irrigation.

Require

EXHIBIT



EXHIBIT A

PLANNING COMMISSION RESOLUTION NO. 14-04

A RESOLUTION OF THE CITY OF AUBURN PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE AUBURN MUNICIPAL CODE SECTION 159.195 (O)((1)) AND SECTION 159.195 (G).

Section 1. The City of Auburn Planning Commission held a public hearing at its regular meeting of June 3, 2014 to consider a recommendation to the City Council to adopt an ordinance amending the City's sign ordinance Section 159.195 (O)(1) and Section 159.195 (G) attached herewith as Attachment 1.

Section 2. The City of Auburn Planning Commission has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

1. Agenda report prepared by the Community Development Department for the June 3, 2014, meeting.
2. The draft text amendment of various sections of the Auburn Municipal Code.
3. Staff presentation at the public hearing held on June 3, 2014.
4. Public comments, both written and oral, received and/or submitted at or prior to the public hearing.
5. All related documents received and/or submitted at or prior to the public hearing.
6. The City of Auburn General Plan, Zoning Ordinance, and all other applicable regulations and codes.

Section 3. In view of all of the foregoing evidence, the City of Auburn Planning Commission recommends the following:

1. The Auburn Community Development Department reviewed this project for compliance with the California Environmental Quality Act (CEQA) and found it to be Statutorily Exempt from the provisions of CEQA per Section 15061 (b)(3).
2. The amendment of the sign ordinance update is consistent with the goals, objectives and policies of the City's General Plan.

Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the City of Auburn Planning Commission hereby recommends that the City Council adopt of a Statutory Exemption in accordance with Section 15061 (b)(3) of the California Environmental Quality Act (CEQA) and Guidelines.

Section 5. In view of all of the evidence and based on the foregoing findings and conclusions, the City of Auburn Planning Commission hereby recommends that the City Council approve the amendment to the sign ordinance attached herewith as Attachment 1.

Section 6. In view of all the evidence and based on the foregoing findings and conclusions, the City of Auburn Planning Commission, upon motion by Commissioner _____ and seconded by Commissioner _____ hereby recommends adoption of the Categorical Exemption and recommends that the City Council adopt the amendment to the sign ordinance carried by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PASSED AND RECOMMENDED this 3rd day of June, 2014.

Chairman, Planning Commission
of the City of Auburn, California

ATTEST: _____
Community Development Department

ATTACHMENT 1

Text to be stricken is identified in ~~strikeout~~ and text to be added is identified in ***bold/italic text***.

159.195 (G) FREESTANDING SIGNS FOR INDIVIDUAL USES.

- (1) *Number.* Each individual use may erect and maintain one freestanding sign, regardless of whether a use is conducted on more than one contiguous parcel. Additional freestanding signs may be permitted upon approval of a Use Permit by the Planning Commission if the use has more than one street frontage and/or has an individual street frontage that is greater than 300' long with more than one project entrance.
- (2) *Location.* No more than one sign shall be placed on each street, unless additional signs are approved pursuant to subsection (a) above. All signs are subject to the requirements of the clear vision triangle.
- (3) *Height.*
 - a) *Citywide.* The maximum height shall be 15 feet, except as otherwise provided by this Chapter.
 - b) *Oldtown and Downtown Historic Design Review Districts.* The maximum height shall be 10 feet.
 - c) *Highway 49/Elm Commercial Area.* The maximum height shall be 25 feet for properties located within the areas delineated on a map maintained by the Community Development Department. The map may be amended by resolution of the City Council.
 - d) *Airport Industrial Design Control (AI-DC) Zone. The maximum height shall be 10 feet.*
- (4) *Area.*
 - a) The maximum allowable sign area shall be 40 square feet. The maximum sign area may be increased to 60 square feet for a lot with a street frontage of at least 200 feet. The maximum sign area may be increased to 80 square feet for a lot with a street frontage of at least 300 feet. The area of the sign is determined based on the length of the frontage on which the sign is placed.
 - b) *Airport Industrial Design Control (AI-DC) Zone. A maximum of 60 square feet (each side if double sided) shall be permitted.*
- (5) *Landscaping.* Landscaping with automatic irrigation shall be provided at the base of the supporting structure equal to twice the area of one face of the

ATTACHMENT 1

monument sign. The review authority may waive or modify this requirement on a case-by-case basis for small monument signs or where existing site conditions preclude this requirement.

159.195 (O) TEMPORARY NON-COMMERCIAL SIGNS.

Temporary signs and banners are permitted in all zones subject to the following regulations.

- (1) *Location.* Signs shall not be posted on trees, fence posts, public utility poles, on any roof ~~or vehicle-top~~, or located within any public right-of-way or on any publicly owned property. No sign shall be located within the clear vision triangle. Off-site signs shall only be allowed on private property with the owner's permission.
- (2) No sign shall be placed on private property without permission of the property owner or tenant.
- (3) Signs shall not be illuminated.
- (4) *Height.* The maximum sign height shall not exceed seven feet.
- (5) *Area.* The maximum sign area shall not exceed thirty-two (32) square feet.
- (6) *Number.* Each lot shall be permitted two (2) temporary freestanding signs containing only noncommercial messages. In addition, one temporary freestanding campaign sign shall be allowed for each political candidate or proposed ballot measure on each street frontage.
- (7) *Duration.* A Temporary Non-Commercial Sign may be allowed for a period of time not to exceed 60 days prior to the date of an event or election referenced in the sign or to which the sign otherwise relates and shall be removed within 10 days after that date.